

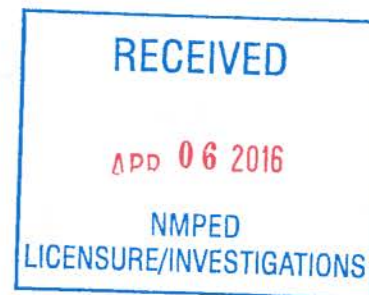
# Espanola Public Schools



**Espanola Valley High School**

**Investigatory Report**

**Boys Basketball Program**



**Prepared by: Bobbie J. Gutierrez**

**Superintendent**

**Espanola Public Schools**

**April 2016**

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**SUPERINTENDENT**

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**BOARD OF EDUCATION**

Pablo E. Luján, President  
Lucas Fresquez, Vice President  
Annabelle Almager, Secretary  
Ruben Archuleta, Member  
Yolanda M. Salazar, Member

March 21, 2016

Richard Martinez  
[REDACTED]

Dear Mr. Martinez,

Effective the date of this letter, you are placed on Administrative Leave with pay. The expected length of your leave is unknown at this time. This leave is necessitated due to allegations of misconduct and unprofessionalism on your part that, if true, violate law and Board policy. During your leave, you are not to enter your work site or any other Espanola Public School property, or school-sponsored or school-related event, unless authorized to do so by me in writing.

Reasons for your administrative leave include, but are not limited to:

1. Violation of FERPA and student privacy and confidentiality as per Board Policy G-0750
2. Inadequate supervision of students and student safety as per Board Policy G-0850
3. Mismanagement of departmental and/or team resources as per Board Policy D-1550
4. Allegations of abusive coaching methodologies and practices
5. Lead student athletes in prayer (posted on KDCE website) violation of Board Policy J-3850
6. Multiple violations of the EVHS Philosophy of the Athletic Program and the New Mexico Activities Association concept of Education-based Athletics.

You may, of course, contact your NEA representative to discuss the allegations and ask for representation.

Furthermore, you are to remain available to investigative personnel during the course of this leave. When directed to attend an investigative meeting, you will be permitted to enter the administrative building at 714 Calle Don Diego. You do have the right to respond to any allegations in writing by sending such written communication directly to me.

You are reminded that comments, if any, regarding your administrative leave and the underlying circumstances for your administrative leave are to be made in accordance with the Collective Bargaining Agreement, Article 33, Section C, which states: "Confidentiality of Criticism: Any criticism by an administrator or supervisor of an employee, and/or the employee's performance or any criticism of an administrator, supervisor by an employee will be made in private and not in the presence of students, parents, co-workers, or members of the public." Additionally, you are to refrain from communication with other school district employees, parents, students and/or members of the Board in a manner that may reasonably be construed as an attempt to delay, impede or otherwise influence the outcome of the investigation and review of the EVHS basketball program. Any questions regarding this matter, your employment, or any issues dealing with EPS should be directed only to me by contacting me at (505) 367-3303.

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You are also instructed to refrain from public comments, including comments to the media, in a manner that identifies a student by name or by which any particular student may be readily identified, for example, by parent name or parent profession, or by the fact that a student may be singularly situated by a stated fact or circumstance unique only to that student.

Furthermore, you need to turn in your keys, badge and laptop computer prior to leaving campus.

Sincerely,



Bobbie Gutierrez  
Superintendent of Schools

cc: Personnel File



March 22, 2016

Ms. Bobbie Gutierrez  
Superintendent, Espanola Public Schools  
Espanola, New Mexico 87532

Dear Ms. Gutierrez:

I am in receipt of your letter dated March 21, 2016.

I can assure you I will be forthcoming, cooperative, and professional as you proceed in your investigation, and I will comply with all your directive's as outlined in your letter March 21, 2016. I am requesting information from you immediately so I can prepare my written statement and to ensure my due process rights are protected.

Please provide assistance and help with the following:

Could you provide me the contact information for seeking NEA Representation because I am not a current member of the NEA?

I do not fully understand the allegations of misconduct and unprofessionalism that has prompted you to place me on administrative leave effective immediately.

You went from considering placing me on a growth plan for my coaching duties, to placing me on administrative leave for both my teaching position and coaching duties, why the latter? Yet the reasons cited are coaching allegations.

Provide a written statement as to the detailed specifics behind each of the six (6) infractions you cite?

The detailed information is necessary for me to best represent/defend myself. I find it interesting that you selected not to include stated policies, CBA, and examples etc.; in your disciplinary letter.

My immediate supervisor, nor the administration has communicated with me any consequences of these allegations if found to be true during this school year and no attempts have been made to correct any concerns through my formal evaluation process.

Is there a professional "rubric" for coaching that has been adopted in Espanola Schools to evaluate coaching staff? And if yes, please provide.

Were you aware of all or some of the allegations prior to the ending of the regular basketball season?

Share with me all individuals you have communicated with regarding these allegations prior to March 21, 2016?

Provide me with all current school board policies, current collective bargaining agreement (does the CBA cover my actual coaching duties and methodologies). I need to learn the specific comment (s) I supposedly made that violates the collective-bargaining agreement which you make reference to.

Is my Academic Freedom also covered by the CBA for my coaching position? If yes, please outline.

I am requesting a detailed description of what your investigation entailed prior to writing the letter of March 21, 2016.

I am assuming from your selected words that there are student (s), parent (s) staff (s), and community individuals you have heard from before coming to your conclusion. Please provide me with names, addresses, and contact information and their testimony in summary form.

Provide a copy of my complete personnel file and any working files the district or supervisors may have in their possession. I will pay a reasonable amount for such copies.

Have any current or former Espanola School Board members approached you with similar allegations from the past or current? And if yes, detail the information?

I view your actions as retaliatory because of Mr. Ruben Archuleta, Espanola School Board Member that made derogatory public comments to me and others that he wants me fired and will not stop until he is successful.

I have been singled out by you and the administration in several violation accusations. Is it because I am a male coach?

Provide me with all the information and answers to the question I have requested herein.

The information will be helpful and important when I decide to seek legal counsel and then we will have an opportunity to interview and determine if there's any defamation of character being promulgated by you or any other individuals you have involved.

I request that my due process rights not be violated as provided in the United States Constitution, the School Personnel Act, my "God" given rights, and the collective bargaining agreement?

It appears my civil rights have been violated.

I will not allow the administration to discredit my reputation or place my accomplishments in a negative light with the public, colleagues, my employer, or any future employers.

Please respond to me directly within the next five (5) working days so I can develop my formal response.

Thank you in advance.

Sincerely,

A handwritten signature in black ink, appearing to be "Richard Martinez", written over a horizontal line.

Richard Martinez



**SUPERINTENDENT**

Bobbie J. Gutierrez

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**BOARD OF EDUCATION**

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Yolanda M. Salazar, Member

March 28, 2016

Richard Martinez

Re: Response to March 22, 2016 letter

Mr. Martinez:

This letter responds to your March 22, 2016 letter. As a preliminary matter, please understand that paid administrative leave is not a disciplinary action but instead, it is for the purposes of facilitating the District's review. It is my goal to provide you as much information as I can in that process, but you must understand that this is an on-going investigation for which there are not answers to many of your questions at this time, or frankly, you may not have the right to access all of the information that you seek right now. The District will be asking you questions and seeking your perspective at a soon-to-be-scheduled interview.

Furthermore, please note that your position as a coach and as a teacher are not contractually connected. Said another way, while the District must review all allegations and their impacts on both positions, the District reserves the right to determine appropriate responses, based on investigation, for each respective role. Similarly, to whatever degree you disagree with any outcomes, your options for appeal may differ for the teaching and coaching positions.

I am very appreciative of your inquiries and will remain mindful of them during the course of the District's review. If you wish to contact NEA, my understanding is that the building representative at EVHS is *Michael Lapcevic*, and he may be reached at the following number: (505) 753-7357.

Sincerely,

Bobbie J. Gutierrez

Superintendent

Espanola Public Schools



Affidavit of Service

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF RIO ARRIBA )

I swear that a copy of this letter was served upon Richard Martinez  
on 4/4/16, [date]  
At (time) 2:55pm in the following manner:

MARK THE APPROPRIATE LINE:

☒ hand delivery by Jimmy Martinez, Warehouse Clerk  
☐ leaving with someone over 15 at place of usual abode  
☐ posting in most public part at staff's premises and mailing a copy to  
last known address.

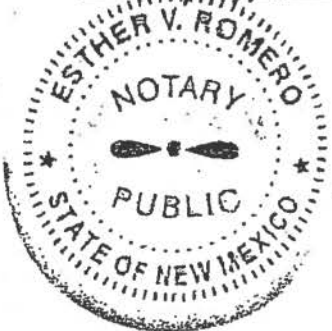
[Signature]  
[signature]

SWORN TO this 4th day of April, 2016 by Jimmy Martinez

[Signature]  
Notary Public

My Commission Expires:

2/7/19



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April 4, 2016  
HAND-DELIVERED

Richard Martinez  


As indicated in my correspondence with you on March 28, I made today at 4PM or Tuesday, April 5 at 4PM available for meeting with you regarding the District's review of allegations involving your conduct. Please know that while you are on administrative leave, you are to remain available and accessible to the District's officials during business hours.

As per our conversation at 11:45AM today, April 4, you said that you could not come at either of these times. I then offered you 3 p.m. on either day or 10AM on Wednesday, and you said you would need to check with your attorney as you were not sure. I reminded you that you are on paid administrative leave and that you needed to make yourself available to the administration, and that I wanted to interview you before concluding my investigation. When I asked if you were saying you were declining the meetings, you said, "No, I am not saying that, but I need to check with my attorney."

You called my office a few minutes later and told my secretary you would be available to meet on Thursday at 3:00 p.m. I made the options of today, tomorrow or Wednesday available to you for flexibility, but I need to be clear that I am directing you to appear for one of the designated times. If you do not attend one of the sessions, the District may treat your failure to appear as a separate form of insubordination and cause for discipline. More importantly, this meeting is your opportunity to answer questions about the allegations involved. If you do not attend one of these two sessions, I will have no choice but to draw my conclusions about the allegations based on the evidence that I have gathered to this point, without your input. Thus, please know that this investigation will proceed, and I would prefer to have an opportunity to talk to you before I conclude.

Thank you for your prompt attention to this matter, and I will look forward to seeing you tomorrow at 4PM or at 10AM. Please advise me ASAP which session you will attend.

Sincerely,

Bobbie J. Gutierrez  
Superintendent  
Española Public Schools

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**Sent:** Friday, January 29, 2016 12:43 PM

**To:** Bobbie Gutierrez

**Subject:** Re: Distribution of Campaign Materials

Thank you!

Leslie Romero Kilmer

On Jan 29, 2016, at 12:16 PM, Bobbie Gutierrez

<[bobbie.gutierrez@k12espanola.org](mailto:bobbie.gutierrez@k12espanola.org)> wrote:

Dear Coach Martinez,

First of all, I want to congratulate you on your wins this season, and wish you the best of luck this evening in your line up against Capital High School.

Secondly, I must direct that you not pass out any campaign materials on the school campus or during basketball games as per board policy. While I could not attend last week's game, I did have several complaints from parents and community members about the handing out of campaign materials.

I have listed the Board's policy below for your reference and review.

Thanks, Richard. Again, best of luck against the Jaguars this evening.

Bobbie

**G-1600 © GBI**

**STAFF PARTICIPATION IN  
POLITICAL ACTIVITIES**

The Board recognizes the right of its employees, as citizens, to engage in political activity. However, school time may not be used for political purposes. Staff members who intend to engage in political activities shall be guided by the following:

- No employee shall engage in political activities upon property under the jurisdiction of the Board, unless permission has been granted for that purpose through the "Community Use of School Facilities" policy of the Board.
- Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity for the District, and without the participation of District employees or students acting in the capacity of District or school representatives.
- Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be extended only when such invitations are extended to all candidates for the office.
- The use of District equipment, supplies, materials, buildings, or other resources to influence the outcome of any election is not permitted.
- Political circulars or petitions may not be posted or distributed in school.
- The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property.



- The use of students for writing or addressing material intended to influence the outcome of any election, or the distribution of such materials to or by students, is forbidden.
- Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, are not precluded under the provisions of this policy.

This policy shall apply only when an employee is serving as an agent of or working in an official capacity for the District.

*Adopted:*    date of manual adoption

LEGAL REF.:    22-14-14 NMSA

6.60.9.8 NMAC

**SUPERINTENDENT**

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**INQUIRY QUESTIONS  
PERSONNEL INVESTIGATION**

1. Were you aware of any parental concerns prior to being placed on leave March 21?
2. If so, what were some of these concerns?
3. Why do you believe parents have these concerns about your program?
4. Are you familiar with FERPA (Family Education Right to Privacy Act)?
5. On or about March 4, 2016, did you announce on the radio that [REDACTED] would not be playing in the first round of state play-offs because he had gotten into trouble at school?
6. What time are your players required to report to the gym each morning, and what time do you report to the gym?
7. Were some of our players left behind recently at a restaurant in Albuquerque during the week State Tournaments?
8. Do you file a seating chart with the Athletic Coordinator and the Activity Bus Driver?
9. Do you consistently ride the bus with your players?
10. Has there been times you do not ride the bus? If so, when?
11. Have you ever shamed, singled out or belittled players in front of others?
12. Did you lead the Lord's Prayer in the locker room at the State Basketball Tournament?
13. Are you aware of the EVHS Philosophy of the Athletic Program? And are you familiar with NMAA's concept of Education-Based Athletics?
14. What does Education-Based Athletics mean to you?
15. Were you aware of fake passes for EPS being used recently at the State Basketball Tournament at the Pit in ABQ?
16. Did you have words or conflicts with any officials while at the State Tournament?

17. Do you use curse words with students in your PE classes or your basketball players?
18. Are you aware of the fundraising guidelines for the district?
19. Is there a specific reason Basketball Boosters do not participate with the Athletic Boosters at EVHS?
20. Who is the president of the Basketball Booster Club? Is there a secretary and treasurer?
21. Are parents provided with regular reports from Booster Club activities? For example, a report with how much money is raised for each fundraiser, specifically and how the money is spent?
- ~~22. How do you account for \$1,792 not deposited from the sale of cookie dough back in the fall?~~
22. Were all the funds deposited from the Cookie Dough Fundraiser?



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**February-March 2016****RE: Richard Martinez**

Position: Physical Education Teacher, Espanola Valley High School

Head Coach: Boys' Basketball

Over the past seven weeks, Mrs. Kilmer, EVHS Directing High School Principal and I have had the opportunity to meet with numerous parents of JV and Varsity Basketball players at EVHS, and hear their parent concerns about Head Coach Richard Martinez, and his brother Eric Martinez, JV Coach, and their allegations of abusive coaching methodologies and practices.

Listed in the table below is a compilation of parent and player concerns, as well as complaints regarding the EVHS Head Coach, Junior Varsity Coach (JV) and the overall Basketball program, in general at EVHS.

Date	Parent/Student Names	Concerns
2-02-2016	██████████ (parent)—met with Superintendent, Bobbie Gutierrez	<p>Very concerned about the way Eric Martinez, JV Coach treated her son ██████████, a sophomore at EVHS.</p> <ul style="list-style-type: none"> <li>Concerns regarding playing time of student athletes</li> <li>Student athletes are expected to be perfect and are pulled out of the game and yelled at the first time they make a mistake</li> <li>Concerns that her son ██████████ asked the coach to stop yelling at him, and the coach said, "If you don't like, quit, leave, get the fuck out of here."</li> <li>After her son sat down, the coach continued to yell at him and actually came over to him and said, "How about let me make this easy for you, you're off my team when the game is over."</li> </ul> <p>*Mrs. Gutierrez told ██████████ she would look into her allegations. Mrs. Gutierrez collected information and found some conflicts in what actually transpired between Coach Eric Martinez, and student athlete, ██████████</p> <p>Mrs. ██████████ submitted a formal complaint to the Superintendent on February 5, 2016.</p> <p>Mrs. Gutierrez had to go out of town, but did meet with Coach Eric Martinez on February 6, 2016. Coach Eric indicated that he had never had a student go off on him in such a manner in all his</p>



years of coaching, but agreed his behavior was inappropriate and that he would be willing to meet with [REDACTED] and his mother.

I asked Mrs. [REDACTED] and [REDACTED] to meet with Leslie Kilmer, EVHS Directing Principal. Mrs. Kilmer met with [REDACTED] and Mrs. [REDACTED] on February 9.

At that meeting, Mrs. [REDACTED] indicated that a slap on the hand isn't enough; however, in her formal complaint submitted to my office on February 5, she indicated that in going forward, Coach Eric needs a well-defined path.

When Mrs. Kilmer asked Mrs. [REDACTED] about meeting with Coach Eric, she would not make a commitment until she talked to her legal counsel in order to decide how to move forward.

To date, neither Mrs. Kilmer nor the Superintendent have heard from her about how she would like to move forward.

In the interim, Mrs. [REDACTED] spoke to the school board in public forum at its March 3, 2016 and shared the same information and concerns with the Board that she shared with Mrs. Kilmer and me.

On March 4, Mrs. [REDACTED] shared her concerns with the Rio Grande Sun newspaper, and since that time, the reporter, Andrew Martinez has made an IPRA request for email communications between the Superintendent, and Mrs. [REDACTED]; and the personnel files of Richard and Eric Martinez.

*\*Ms. [REDACTED] let the Superintendent know the week of March 28 she and her son were not interested in meeting with Coach Eric Martinez to talk through the events that occurred on the evening of January 29, 2016.*

Formal parent complaint; *Appendix A*  
Coach Eric Martinez Response to Altercation & Witness Statements *Appendix B*  
Superintendent's Response: *Appendix C*

2-12-2016

Mrs. Kilmer met with [REDACTED], parent of a sophomore JV/Varsity Basketball player, [REDACTED]. Mrs. [REDACTED] concerns about head coach Richard Martinez included the following:

- Doesn't have the student athletes' best interest at heart.
- Indicates her daughter has reported Coach Martinez using extremely foul language with his physical education students.
- During a parent meeting in the fall of 2015 he mocked the district's administration stating, "They're after me again, but I am on a growth plan."

		<ul style="list-style-type: none"> <li>• He told basketball player, [REDACTED], "What's wrong with you, you suck, just like your dad did at McCurdy."</li> <li>• <i>*[REDACTED] father committed suicide this past year, and his mother is a heroin addict. This was reported multiple times in interviews with parents that have first-hand knowledge of [REDACTED] situation and what transpired on that day.</i></li> <li>• Coach Martinez gives [REDACTED] "grief" because he is enrolled in Honors courses, and tells me, "Oh, Mr. Honors, I didn't take honors and look how good I turned out."</li> <li>• Ms. [REDACTED] feels that Coach Martinez doesn't encourage student athletes to play other sports and doesn't encourage honors classes.</li> </ul> <p><i>*This was a common theme among all parents that came forward to express concerns.</i></p>
*02-17-2016	[REDACTED] parents of [REDACTED]	Met with the Superintendent on February 17 <sup>th</sup> . Concerns expressed to Mrs. Kilmer the previous week were reiterated to Mrs. Gutierrez. Mr. [REDACTED] followed up with information to the Superintendent on February 19. <u>Appendix D</u>
02-15-2016	[REDACTED] [REDACTED]	<p>Mrs. Gutierrez and Mrs. Kilmer met with [REDACTED] and [REDACTED], parent of sophomore JV and Varsity basketball player, [REDACTED]. Mrs. &amp; Mrs. [REDACTED] expressed the following concerns:</p> <ul style="list-style-type: none"> <li>• Coach Martinez uses fear and intimidation tactics with his basketball players.</li> </ul> <p><i>*Cited the [REDACTED] incident after the Las Vegas Robertson Varsity loss.</i></p> <ul style="list-style-type: none"> <li>• Coach Martinez told Mr. [REDACTED] that he knows something is going on, "Superintendent is going to my games and sits behind me, she doesn't go to girl's games—she is up my butt."</li> </ul> <p><i>*As a matter of record, the Superintendent attended numerous girls' games throughout the 2016 season.</i></p> <ul style="list-style-type: none"> <li>• Mr. [REDACTED] reported that his son, [REDACTED], recently reported, "Well we lost [REDACTED] this morning, we were running drills this morning, and Coach started yelling at [REDACTED], got in his face and his fists (meaning Coach Richard's fists) were closed. [REDACTED] quit and walked away. Several other students watching the practice were yelling at Coach Richard to leave [REDACTED] alone."</li> <li>• Mr. [REDACTED] reports that after the CHS game he let [REDACTED] have it with very demeaning comments.</li> <li>• Prior to the Del Norte game, Mr. [REDACTED] reports that Coach Martinez told [REDACTED], "You're the biggest pussy, cry baby I have ever coached. Just because you're</li> </ul>

		<p>the AD's son, you think you can get away with anything." <i>This stemmed from an incident with the team manager mimicking Coach Martinez's comments to [REDACTED] as the Coach often makes reference to [REDACTED] being the A.D.'s son.</i></p> <ul style="list-style-type: none"> <li>• [REDACTED] is afraid to ride the bus—according to Mr. &amp; Mrs. [REDACTED] it's like getting on the bus with the "Mafia." The boys are yelled at about their poor performance and individually singled out if they lose; and seldom are they praised if they win, only told what they could have done better or differently.</li> </ul> <p><i>*On March 31 Mrs. Kilmer contacted Mr. [REDACTED] concerned because in [REDACTED]'s student interview, [REDACTED] indicated everything was fine and there were no problems with the basketball program. Mr. [REDACTED] told Mrs. Kilmer that he and his family wanted no part in this investigation of the coach and that in coming forward he never wanted the man to lose his job. He also shared that he felt information about parent meetings had been leaked to the Rio Grande Sun and that he and his wife wanted no part of this. Mrs. Kilmer assured him that our meeting had been confidential, but he would only state, "I support the coach." He went onto to say that people had told him, "If you don't like it go back to Penasco."</i></p>
3-14-2016	Mr. & Mrs. [REDACTED] [REDACTED]	<p>Mrs. Kilmer and Mrs. Gutierrez met with [REDACTED] parents of [REDACTED], sophomore and JV player to discuss the following concerns:</p> <ul style="list-style-type: none"> <li>• Some players were allowed back on the team after the The team made it to district play-offs and one Freshman player was taken to the State Finals and allowed to suit up with the team although he had never practiced with the JV &amp; Varsity teams. Some of the Varsity players were not allowed to suit up with team for State, but were not aware of this until right before the game.</li> <li>• Coach Martinez told [REDACTED], "You went last year; I am not taking you because I don't know how to use you." Then he took [REDACTED], but did not allow him to suit up or sit on the bench with the team.</li> <li>• Coach Martinez is always asking [REDACTED], "When are you going to grow?"</li> <li>• In general, Coach Martinez mocks players if they have a girlfriend.</li> <li>• Richard Martinez told players I know some of you are stabbing me in the back (referencing talking to their parents and reporting to school's administration concerns); boys are fearful of retaliation by the coach.</li> </ul>



- Coach Martinez plays "mind games" with the boys by telling them like, "On Tuesday you're playing, on Wednesday, no I am not going to play you after all, and give your uniform to \_\_\_\_."
- Bringing back a player that quit for five weeks created major issues and team morale problems.
- Parents feel Coach Martinez does not treat his athletes with respect. "If he is all about life lessons; how are some of these things life lessons?"
- He told parents at a basketball parent meeting that they are not to complain and if they complain their kid is off the team.
- He has said to the players, "I know some of you have already turned your back on me."
- He does not encourage his basketball players to participate in other sports.
- Parents do a lot of fundraising and Mr. & Mrs. [REDACTED] questioned why the JV uses middle school uniforms.
- Often gives fundraiser to kids two nights or just a few days before items are due.
- Many parents turned in money to Coach Martinez wife, [REDACTED], for cookie dough on November 1<sup>st</sup>. [REDACTED]s turned in \$288.00 and still have not received their cookie dough.
- They recently received a call from Ms. [REDACTED] stating they were in Round 2 to receive the cookie dough. The [REDACTED]'s understood the dough would arrive before the holidays.
- Coach insisted that all players ride the bus after the Bernalillo game and threatened that if they didn't not to bother showing up for practice; however, Coach Martinez didn't ride the bus. Three players did not ride the bus and were allowed to practice and play in future games.
- Throughout the season, Coach Martinez was late for 6:00 a.m. practice from 5 to as much as 30 minutes. The athletic coordinator would open the door for them; however, students were left unsupervised. [REDACTED] kept a blanket in his truck while waiting for the coach.

#### *Appendix E*

*\*On April 1, Mrs. Gutierrez received the following message from Mrs. [REDACTED]: Good morning, Ms. [REDACTED] and I talked last night, actually many nights and we have decided not to continue with our concerns. [REDACTED] wants to continue playing basketball for Espanola and he will play with or without Coach Richard. Once again, [REDACTED] would like to thank you and Ms. Leslie for taking time to listen to us.*



03-16-2016	Parent: [REDACTED]	<p>Mr. [REDACTED] is the parent of two basketball players [REDACTED], a junior and [REDACTED] a freshman at EVHS.</p> <ul style="list-style-type: none"> <li>• His son was punished and not allowed much playing time because he has a girlfriend.</li> <li>• Coach Martinez told Mr. [REDACTED], "[REDACTED] is one hell of a player, but he wouldn't move up to varsity because he's not focused because he has a girlfriend."</li> <li>• [REDACTED] has been to the doctor on more than one occasion for bad headaches; all the doctor can conclude is that he suffers from stress and anxiety.</li> <li>• Mr. [REDACTED] asked his son if he was stressed out, and [REDACTED] responded, "Yes, I don't like the comments Coach Martinez makes to me."</li> <li>• After the Bernalillo game at state, [REDACTED] and [REDACTED] had to run after the bus as they were in line to pay for their food and were left behind (witnessed by several parents). Parent questioned shouldn't the coach has done a head count before leaving the restaurant? Parent did state that he was fearful of talking to the Coach about this because he did not want the coach to retaliate against his son.</li> </ul>
		<ul style="list-style-type: none"> <li>• One the day of the Hometown Parade (March 13<sup>th</sup>) after winning the State 5A District Championship Game, three more students were left behind at Buffalo Thunder. A parent picked them up and caught up with the bus at the Dairy Queen in Pojoaque. Parent questioned where is the accountability?</li> <li>• Many boys are talking about quitting the team; the Coach breaks them down, and never tries to build them up.</li> <li>• Mr. [REDACTED] reports that his son is completely demoralized by the things he has experienced this year under Coach Martinez.</li> </ul>
3-22-2016	[REDACTED]	<ul style="list-style-type: none"> <li>• Mr. [REDACTED] is the parent of a senior, [REDACTED]. [REDACTED] played some Varsity during his freshman year and has played varsity since his sophomore year at EVHS.</li> <li>• Mrs. Gutierrez met with Mr. [REDACTED] in Santa Fe because he feared coming to her office or meeting with her in Espanola.</li> <li>• Two years ago [REDACTED] came home and stated he didn't want to play basketball anymore. He told his parents that Coach Martinez had grabbed him by the shirt and punched him in the chest.</li> <li>• [REDACTED] often felt embarrassed and singled out by Coach Martinez.</li> <li>• According to Mr. [REDACTED], [REDACTED] told him that Richard often gets physical with the players and punches and slaps them around.</li> </ul>

- In a recorded interview two years ago with Ms. Esther Romero, HR Director, EPS, [REDACTED] stated the following, "Coach Richard uses a lot of profanity in the locker room towards the players and students are pushed, grabbed and shook." He went onto to describe an incident with one of the players at the time, [REDACTED]
- Two years ago, Mr. [REDACTED] attended a BBQ and with some of the parents of basketball players at the time, and they agreed they were going to rally and go to a Board meeting. On the day of meeting they received call and were told not to go because Coach Martinez had been placed on leave for slapping a female student in one of his PE classes, and that it had been captured on video.

*\*The video was in the Superintendent's possession reportedly and mysteriously disappeared.*

- Coach Martinez tells the players not to talk with the school administrators or he will fail them.
- He tells kids not to take Honors or AP classes and then gives them a hard time when they do take more challenging classes.
- Mr. [REDACTED] has documentation of some grade changes ordered by the Coach in 2014 although the two teachers involved denied this in 2014. [REDACTED] had his math grade changed and speaks to specifically how that was done and what the teacher said to him.
- Mr. [REDACTED] has his son's recorded interview with Ms. Esther Romero, HR Director, EPS.
- According to Mr. [REDACTED], "Kids fear Richard and adults avoid him."
- He often boasts to parents that they (meaning the administration) have tried to fire him, and states, "But I am back and they are gone."
- He tells kids that if they play basketball, he "prefers" they not play other sports.

Current Year

		<ul style="list-style-type: none"> <li>• Coach Martinez told Mr. [REDACTED] that his son [REDACTED] is not leadership material and that he can't be a co-captain. (He is one of three seniors on the team).</li> <li>• He told Mr. [REDACTED] that he didn't feel [REDACTED] was working hard; and was not demonstrating leadership skills; Mr. [REDACTED] told his son that he needed to be the first one in the gym and the last one to leave in front of Coach Martinez.</li> <li>• [REDACTED] then questioned Coach Martinez in front of his father and said, "Then why do [REDACTED] and [REDACTED] not have to follow the same rules as me?" Coach Martinez begged to differ with him. [REDACTED] and [REDACTED] are the other senior players)</li> <li>• Mr. [REDACTED] stated that it's been four years of a roller coaster ride with Coach Martinez.</li> <li>• Coach told Mr. [REDACTED], "The super sits behind my team, I move us to the middle of the floor for time-outs because I don't want her to hear what I say to them."</li> <li>• He told players that he gets no parent support. He recently ran for City Council and told players on Election Day, March 1 "I don't even suit out [REDACTED] and his father sends me a text message wishing me luck. He supports me."</li> </ul> <p><i>*[REDACTED] mother and father met with Ms. Kilmer and me on March 14 to express their concerns about Coach Martinez.</i></p>
3-23-2016	[REDACTED]	<ul style="list-style-type: none"> <li>• Ms. [REDACTED]'s plays on the basketball team.</li> <li>• Believes Coach Martinez takes his behavior out of context and tries to explain it away as if it's okay. He believes his tough tactics and language makes the boys tough.</li> <li>• He has no patience with the boys and he is rude, discourteous, and disrespectful to them, and often to their parents.</li> <li>• Boasts about being on a "growth plan," but it's never followed through. Tells parents, "administrators come and go, but I am still here."</li> </ul>
3-24-2016	Indian Education Committee Meeting	<ul style="list-style-type: none"> <li>• Committee members participated in giving input into the district's Strategic Plan with Mrs. Gutierrez and Ms. Johnston, Special Projects Facilitator.</li> <li>• In terms of Board Goal 3 which is about health, safety, respect for all cultures, etc., some of the parents felt that Athletics at EVHS high school needed to be more inclusive of Native students.</li> <li>• One mother stated that her son was told his culture did not fit will with the basketball program.</li> <li>• Others felt that if you are Native American, you are not welcomed into sports at EVHS because of too many</li> </ul>

		conflicts with practices and various family commitments.
--	--	--

- Most stated they would prefer to have their children attend EVHS, but choose to send them to the Indian School or other high schools in the area because of this non-inclusive attitude at EVHS in terms of sports and Athletics.

### Additional Documentation:

- On or about Friday, March 4, Coach Martinez commented on KDCE Radio that [REDACTED] would not be playing in the first round of the State Playoffs because he got into a fight with this girlfriend and broke her phone, and was suspended from school.
- In addition to current parent concerns, several former parents of basketball players have come forward to express similar concerns that have been mentioned above. Common Themes include:
  - demoralization of players
  - fear of retaliation
  - accounting practices of the Coach, his family, and the booster club in general
  - inadequate supervision of student athletes
  - physical contact with the boys in terms of pushing, grabbing them by their shirt collars
  - screaming and yelling at the boys
  - throwing chairs and kicking bleachers
  - discourage of students playing other sports or participating in Honors or AP classes
  - often getting into squabbles with Officials
- On March 2, 2016 Coach Richard Martinez told Mrs. Kilmer the following while holding a plastic Lacrosse bat.
- "If anyone crosses me or gets in my way, I will come out fighting." This stemmed from a conversation Mrs. Kilmer had with him about this recent City Council election. Mrs. Kilmer noted that he was aggressive in his demeanor in speaking with her, and repeated his statement while banging the bat against his hand.

When repeated this a second time, Mrs. Kilmer asked, "Are you talking about the person you lost the election to?" And he replied, "No."

He went onto to say he's really a nice guy, but that if someone crosses him, he will come out fighting. (He again banged the plastic bat in his hand).

*\*Mrs. Kilmer felt he was giving her an indirect message and threat about meeting with parents, and that he clearly wanted her to relay this message to the Superintendent.*

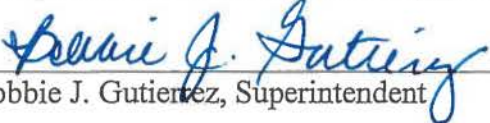
- Coach Martinez recently ran for City Council. He handed out his campaign materials at a basketball game on January 23, 2016. The Superintendent sent him an email letting him know he could not do that and provided him with a copy of the corresponding Board Policy.
- On March 24 I returned a call to [REDACTED]. [REDACTED] told me that she was very concerned about the fact that Coach Martinez slapped her daughter two years ago. She said this was captured on video, and that Coach Martinez was placed on leave; however, the video supposedly disappeared and the

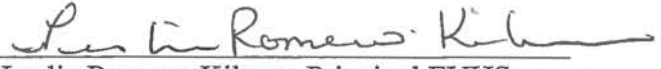


Coach returned to work a few days later. She said that her daughter still attends the school and that whenever the Coach sees her daughter he gives her "perverted looks."

*\*Video tapes are on file in the HR Department. Our HR director recently viewed the tapes and could not find any footage of Coach Martinez slapping a female student; however, this story has been told to me several times in recent weeks with a fair amount of consistency.*

This document has been created from the original meeting notes, emails and telephone conversations with parents and Bobbie Gutierrez, or Leslie Kilmer, or Bobbie Gutierrez and Leslie Kilmer.

  
Bobbie J. Gutierrez, Superintendent

  
Leslie Romero-Kilmer, Principal EVHS

**Sent:** Friday, January 29, 2016 12:43 PM

**To:** Bobbie Gutierrez

**Subject:** Re: Distribution of Campaign Materials

Thank you!

Leslie Romero Kilmer

On Jan 29, 2016, at 12:16 PM, Bobbie Gutierrez

[<bobbie.gutierrez@k12espanola.org>](mailto:bobbie.gutierrez@k12espanola.org) wrote:

Dear Coach Martinez,

First of all, I want to congratulate you on your wins this season, and wish you the best of luck this evening in your line up against Capital High School.

Secondly, I must direct that you not pass out any campaign materials on the school campus or during basketball games as per board policy. While I could not attend last week's game, I did have several complaints from parents and community members about the handing out of campaign materials.

I have listed the Board's policy below for your reference and review.

Thanks, Richard. Again, best of luck against the Jaguars this evening.

Bobbie

**G-1600   ©   GBI**  
**STAFF PARTICIPATION IN**  
**POLITICAL ACTIVITIES**

**The Board recognizes the right of its employees, as citizens, to engage in political activity. However, school time may not be used for political purposes. Staff members who intend to engage in political activities shall be guided by the following:**

- **No employee shall engage in political activities upon property under the jurisdiction of the Board, unless permission has been granted for that purpose through the "Community Use of School Facilities" policy of the Board.**
- **Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity for the District, and without the participation of District employees or students acting in the capacity of District or school representatives.**
- **Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be extended only when such invitations are extended to all candidates for the office.**
- **The use of District equipment, supplies, materials, buildings, or other resources to influence the outcome of any election is not permitted.**
- **Political circulars or petitions may not be posted or distributed in school.**
- **The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property.**



- The use of students for writing or addressing material intended to influence the outcome of any election, or the distribution of such materials to or by students, is forbidden.
- Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, are not precluded under the provisions of this policy.

This policy shall apply only when an employee is serving as an agent of or working in an official capacity for the District.

**Adopted:**    date of manual adoption

**LEGAL REF.:**    22-14-14 NMSA

6.60.9.8 NMAC

**SUPERINTENDENT**

Mrs. Bobbie Gutierrez  
bobbie.gutierrez@k12espanola.org  
Website: [www.k12espanola.org](http://www.k12espanola.org)  
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505-753-2254  
Fax 505-747-3514

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**Concern/Complaint Form**

To help expedite your concern or complaint, please fill in this form so that we can have documented information. We will follow up as quickly as we can to resolve the situation, or take whatever action is warranted.

**Your Name:** [REDACTED]

**School/Office Name:** Espanola Valley High School

**Your Phone Number Home:** [REDACTED]

**Work:** [REDACTED]

**INCIDENT/COMPLAINT DESCRIPTION**

**Time:** 5:30pm JV game **Date:** 1/29/16 **Location:** Espanola Valley High School

January 29, 2016, at the Espanola vs. Capital home JV game during the third quarter my son [REDACTED], entered via substitution into the game. At approximately two minutes and thirty seconds left into the third quarter, the Head JV coach Eric Martinez substituted [REDACTED] with another player. When [REDACTED] proceeded to the bench Eric Martinez was yelling in [REDACTED] face so [REDACTED] asked Eric to please stop yelling at him and Eric continued to yell at him. [REDACTED] asked Eric a second time to stop yelling at him. The third time [REDACTED] told Eric yell at me one more time, and Eric responded with, "IF YOU DON'T LIKE IT QUIT, LEAVE, GET THE FUCK OUT OF HERE", so [REDACTED] at this point proceeded to sit down humiliated and embarrassed as he sat down on the bench, Eric approached [REDACTED] continuing to yell and point his finger in his face, and told him "when I put you in you don't do shit." Eric sat down again he approached [REDACTED] a second time telling him "How about this let me make is easy for you, your off my team when the game is over."

Use back of form if necessary to complete form

**Follow Up assigned to:** Superintendent

**Next**

**Step:**

*Reviewed Incident; waited to see if parent/student wanted to meet w/ coach (no response). Issued Letter of Concern as per CBA to Coach*

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AN EQUAL OPPORTUNITY EMPLOYER

Appendix A

*on 3/21/2016 -*

Abusive coaching is a serious epidemic in our society and it's time that responsible adults, i.e. other coaches, and competent professionals step up to the plate and drive this garbage out of the Espanola Valley High School once and for all.

I believe my son was dismissed from the team, I believe that Eric Martinez should also be dismissed from his Coaching duties. I believe a track record of growth plans and parent complaints that the current AC Eric Vigil chose to disregard. He needs a well-defined path forward to manage his anger and his ego so that he understands the ramifications for his behaviors and values which are continuing to destroy the student athletes at the core of NMAA values. Eric needs to be educated about his abusive coaching and how it differs from more appropriate, positive coaching and that his behavior and action will not be tolerated by the current or future administrations or student athletes/parents.

Regards,

Mr. and Mrs. [REDACTED]



February 1, 2016

Eric Vigil, Athletic Coordinator  
Espanola Valley High School  
Espanola, NM 87532

Dear Mr. Vigil:

RE: January 26, 2016 Game Incident Report

On January 26, 2016 the Espanola Jr. Varsity Basketball team played hosts the visiting Capital Jaguars. During the third quarter of the basketball game, [REDACTED] was inserted a third time into the contest as one of the players for the Espanola Sundevils. Upon having two consecutive turnovers, as the coach I decided to take him out of the game and insert another player in an attempt to hold the ball more effectively.

As he [REDACTED] walked off the court and toward the bench he uttered the words to me, "Don't fucken yell at me." I then followed him and asked him, "What did you say?" Once again he repeated the same statement, "Don't fucken yell at me." My reply was, "Well don't make so many mistakes." Nick's reply to me was "Well you're not worth a fuck as a coach." I asked him, "What did you say." His reply was, "you're not worth a fuck as a coach." I responded my telling him, "You're not worth a shit as player." I then informed him that he was not going to talk me like that and to turn in his uniform at the end of the game. At the end of the varsity contest, [REDACTED] turned in his uniform to me.

Having coached for thirty-two years I have never been subject to such behavior from one of my athletes. I have always been stern, consistent and fair with all my players and will continue to do so. If I allow this type of behavior, I will lose complete respect and control from every athlete and the entire basketball team.

Sincerely,

Eric Martinez  
JV Coach

~~see~~ ~~from~~ from what I saw Eric took  
[redacted] out and ~~to~~ [redacted] got mad

2/2

and ~~they started~~ [redacted] told Eric something  
but I didn't hear and Eric told him  
if that's how he felt then he shouldn't  
be on the team and after the game  
[redacted] turned in his jersey. I didn't see  
much or hear what happened

[redacted]

[REDACTED] got pulled out of the game

and Erik told [REDACTED] that "You can't do anything for me you can't guard, shoot, play Defense you're worthless to me" And I believe [REDACTED] said "Fuck you" Erik told him to get off the bench [REDACTED] did not want to so Erik said after this you are off my team.

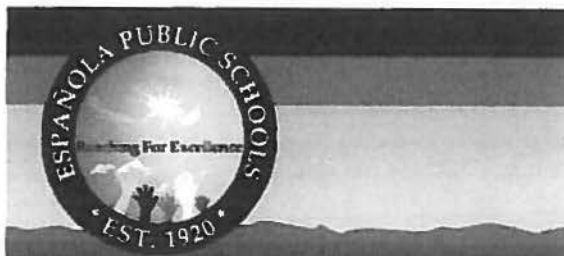
[REDACTED]

2/2/15



**SUPERINTENDENT**

Bobbie J. Gutierrez  
[bobbie.gutierrez@k12espanola.org](mailto:bobbie.gutierrez@k12espanola.org)  
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March 17, 2016

Response to Concern/Complaint (February 5, 2016)

[REDACTED]

Dear Mrs. [REDACTED]

Thank you for making your concerns about the EVHS Basketball program known to the Board of Education on March 3, 2016. It is not often that parents of student athletes are willing to come forward in a public meeting and make known their concerns about a particular athletic program.

The concerns you have brought forward around the events that occurred on January 29, 2016 between your son [REDACTED] and the JV Coach, Eric Martinez are under review in combination with the overall EVHS Boys' Athletic Basketball Program at Espanola Valley High School.

I want to assure you that the matters are being addressed, and again, I want to encourage you and your son, [REDACTED] to meet with Coach Eric Martinez in the presence of Mrs. Kilmer and me regarding the events that transpired on the evening of January 29, 2016. Coach Eric Martinez has indicated that he would like the opportunity to meet with you and [REDACTED].

Sincerely,

Bobbie J. Gutierrez  
Superintendent  
Espanola Public Schools

cc: Board of Education, EPS  
Leslie Romero-Kilmer, Directing Principal, EVHS

Appendix B

From: **Bobbie Gutierrez** bobbie.gutierrez@k12espanola.org  
Subject: **FW: Meeting**  
Date: **Today at 5:25 AM**  
To: [REDACTED]



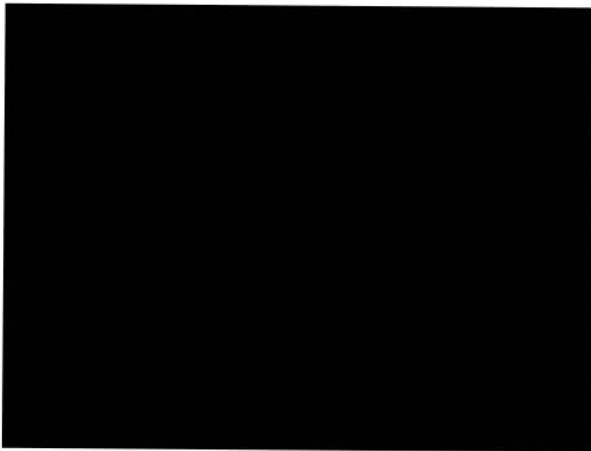
From: [REDACTED]  
Sent: **Friday, February 19, 2016 10:35 AM**  
To: **Bobbie Gutierrez**  
Subject: **RE: Meeting**

Ms. Gutierrez,

Below are some of the issues I wanted to pass on in writing as you requested. I know there are many more tactics both verbally and psychologically used by Coach Martínez to abuse our student-athletes and I am truly committed to helping this stop. As the parent, EPS elementary athletic coordinator, a coach (Northern New Mexico College Girls, AAU, past EVHS Girls JV coach), and concerned community member I know that I no longer can condone this type of behavior by remaining silent. Please let me know if there is anything I can help with in the resolution of this serious issue. Thank you.

- Leadership of this highly visible program by someone who does not have the well-being and respect for our student-athletes as a priority.
- The coaches method of teaching and controlling our kids with emotional threats and abuse, harassment and mind games is no longer acceptable.
- Lack of respect for the educational success of our student athletes.
  - Continued harassment because our student chose to enroll in AP English instead of the athletic class during first period.
  - Early morning practice after late night games with no regard for the athletes having to be rested and recovered for class the following day.
- If any other teacher or administrator would speak to our students this way we would never put up with it, it is not acceptable for our coaches.
- Lack of respect given to our student-athletes
  - Continued harassment
  - Name calling(vulgarity used in and out of the locker room)
  - Public humiliation
  - Control through mind manipulation
- These are a few of the comments made by coach Martinez that my student athlete has heard during practice and in the locker room:
  - "I have to be careful with what I say now because [REDACTED] is after my job"

- o "You are lazy just like you Dad was at McCurdy" (Said to [REDACTED] about his deceased Father)
- o "It was your mistake that you got in that accident" (Told to my son after he had an auto accident in bad weather)
- o "Just because your Dad's the AD doesn't mean that?" (Comment made to [REDACTED] on numerous occasions)
- o "The Superintendent has been behind the bench the last couple of days, one of you must of betrayed me"(Continues to tell the boys that someone has betrayed him as a scare tactic)



**SBA 8(a) and US Women's Chamber of Commerce WOSB/EDWOSB certified**

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**From:** Bobbie Gutierrez [<mailto:bobbie.gutierrez@k12espanola.org>]

**Sent:** Thursday, February 11, 2016 1:20 PM

**To:** [REDACTED]

**Subject:** RE: Meeting

Dear [REDACTED]

From: **Bobbie Gutierrez** bobbie.gutierrez@k12espanola.org  
Subject: **FW: Coach Martinez CONFIDENTIAL**  
Date: Today at 5:54 AM  
To: **Bobbie Gutierrez** bj.gutierrez@comcast.net  
Cc: [REDACTED]



**From:** Herrera, Cindy [<mailto:c.Herrera@laschools.net>]  
**Sent:** Wednesday, March 16, 2016 8:59 AM  
**To:** Bobbie Gutierrez; Leslie Kilmer; [REDACTED]  
**Subject:** RE: Coach Martinez CONFIDENTIAL

Good Morning Ms. Gutierrez & Ms. Kilmer,

Thank you for taking your time to meet with [REDACTED] & I on Monday.

We do have additional concerns that we forgot to mention:

- During our loss at Bernalillo High School, Coach Richard was UPSET with our Student Athletes. In the locker room after the game was over Coach Richard told our Student Athletes they had to take the bus home, they could not go home with parents and if they didn't ride the bus for them not to bother showing up to practice. All student athletes took the bus home with the exception of [REDACTED]. When [REDACTED] arrived home, he did mention that Eric Vigil told Coach Richard that he could not tell our student athletes they could not go home with parents. [REDACTED] and other student athletes took the bus home in fear of Coach Richard. (Coach Richard did not take the bus home) [REDACTED] arrived home 10 to 15 minutes til midnight. We live close to Espanola Valley High School. Many of our student athletes travel a distance from home to school/school to home. Coach Richard expected our student athletes at 6am Varsity practice the next morning.
- Throughout the basketball season, Coach Richard was late to 6am Varsity practice constantly. Our student athletes waited between 5 to 30 minutes for Coach Richard to arrive. At times Eric Vigil would unlock the gym for our student athletes to go inside. [REDACTED] kept a blanket in his truck to use during his time waiting. I believe if a Coach expects student athletes to be at practice on time, the Coach should be as well. I would assume the Coach should arrive earlier than his/her student athletes.

FYI: Last night [REDACTED] received a group text from [REDACTED] in regards to the cookie dough fundraising. Each student was asked to call [REDACTED] (Coach Richard spouse) for



our cookie dough information. [REDACTED] spoke with [REDACTED] last night, she confirmed our order and said we have our completed order next week.

Once again, Thank you for your attention to our concerns.

\*\*\*\*\*

[REDACTED]

[REDACTED]

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*According to the article written in today's New Mexican, Richard Martinez says, It depends in what context we are taking his words.*

*Blaspheme is considered bullying and basically its profanity. That's all he really does to our children. You are intimidating, frightening and bullying our children. He says that our children are weak. Our children are born tuff. Examine the valley we live in, our children aren't weak. It makes them tougher.*

*Richard Martinez has taken his position out of context he should be teaching our boys to trust, to work together, have patience, how to be team players. Richard Martinez needs comity which means to have courteous behavior at all games. Those are values that are learned when you are young.*

*As for your history of employment, it shows that he was dismissed March of 2012 and only to be rehired by Art Blea who gave him a "Professional Development Plan" which obviously he has not followed. As parents we would like to see the copy of that plan. At Mora High School he was also dismissed June of 1995. Where parents complained about him once again.*

*I am a mother who cares about the future of my son's education and athletics. Help me in the future to help them.*

*Thank you,*

[REDACTED]

I received this letter from Ms [REDACTED] after the School Board Meeting on March 23, 2016. She waited for the room to clear, approached me and said she could speak up or out about Coach Martinez, but wanted me to have this information and said she was very concerned about his (Coach Richard's) behavior towards the boys.

*BB 3-23-2016*

April 5, 2016

Statement from Elena Torres

The list of student initials and ID#s were presented by Elena Torres who was the Freshman counselor last year. She had numerous students come to her last year with concerns regarding being in Mr. Martinez's PE class. Comments made to Ms. Torres by students included:

- After not suiting out 2 times students were told that they would be failed.
- Students started skipping class because they knew they would not pass.
- "If we are not part of his team, we are not favored, Coach does not like us."
- Female students told Ms. Torres if Richard likes you, you would pass. Ms. Torres took this to mean that a girl's physical appearance mattered as to whether or not female students passed his class.

The initials and ID's of students represent the students who failed his classes and have had to retake PE this year. Some of these students have also confided in Ms. Torres regarding comments above.

**CONFIDENTIAL REPORT**  
for Superintendent Bobbie Gutierrez  
by  
Patricia E. Parkinson, Ed.D.

(505) 463-0063

**1. Will you share with me in your opinion what Coach Martinez does well in regards to coaching methodologies/knowledge of the game?**

- knows stuff; coached forever
- he knows the game
- great coach
- Coach says that you have to know how to take it, "things will come when it's your time to play".
- "He knew when you are ready."
- "He has the ability to see when it's time. He knows what he's doing."
- he tells you "what's up"; he likes my shot
- knows the game
- understands how to get our frustration out
- he understands the game
- I came from another school to play and it's better.
- He understands the game and "sees things before they happen."
- He's always there and pushes academics. He teaches good.
- good coach
- very smart coach
- He's coached a lot here and in Mora.
- He knows the game better than others and has been doing it for a long time.

**2. Will you share with me in your opinion how you believe Coach Martinez can improve regarding coaching methodologies / knowledge of the game?**

- There should be more team dinners to bring us together; and a couple of breakfasts - that's part of coaching.
- (Other players had nothing to say about this.)

**3. Will you share with me in your opinion what Coach Martinez does well regarding how he interacts with his student athletes?**

- jokes around
- at practices he tries to help some of the kids
- he loves everyone even if they didn't love him



- he "gets on" everyone the same
- great guy to be around; he talks to us in 7th period
- treats everyone the same
- he's good on the court
- We all get along.
- We have fun, there are no favorites.
- He talks to us every day and jokes.
- I hate to lose, like Richard , I hate to lose.
- He's "old school" straight up
- He'll tell you what you are doing wrong.
- He came to watch me in the 6th grade. He wants us all to be together.
- I think he interacts ok, he keeps everyone in line, he's fair.

**4. Will you share with me how in your opinion you believe Coach Martinez can improve regarding his interactions with student athletes?**

- no yelling and bad words
- Maybe: he teaches skills. for lunch when you play, you learn to play the game; you learn work ethics; some kids are spoiled and have never been yelled at— when they are, they play better.
- less yelling and really no yelling at all
- he could be fair: some guys didn't get to suit up for some games for reasons not understood — inconsistent
- I have no idea why parents complain.
- Some players think they are better than others so they complain and go to the Superintendent; this problem has happened before very up front with his comments; tells us what we do wrong. But he says these things in front of everyone
- he's mean and calls students bad names
- some of the stuff he calls kids names and is always yelling sometimes it's needed but not always and he does it anyway
- he has favorites
- he has a grudge against me
- he has favorites sometimes; but he likes to talk to everyone, sometimes yes and sometimes no— on favorites
- he barely plays me and is trying to find someone to replace me; I've practiced and had no idea he wanted to replace me
- He has a favorite and that favorite does not get punished for the same thing.

- He just won't play you and you have to "sit down" after a small infraction while others do the same and they keep playing. But then the next time he's mad at one of them and puts someone else in. It is a mind game and gets me all upset and mixed up.
- Keeps guys in that have made same or more mistakes
- He puts you on the spot — he's talking to all and then on you.
- He put me in at the Pit and then got in my face and said , "Don't f—k this up."
- no, I don't have anything on this.
- He will do anything to win.
- A player had to give his jersey to another player right before the District Championship game. The player who had to give his shirt actually had to sit in the stands. Coach said to the other player, "you are older so you can play." It was very embarrassing for the players involved and horrible to everyone. Everyone in stands and bench saw the whole thing.
- "Oh, and another thing..." there is a freshman's mom who is always kissing up to coach, taking him stuff and the team noticed it." My friend didn't get to play or suit up — so this mother's younger player suits up and gets the bench. It is not fair. This player who got to suit up and sit on the bench moved from freshman to Varsity and quit going to both practices. It is mean. After the District games, she stopped for a while. The player was only there because of his mom and all the players noticed it.
- He plays mind games with us, is up and down, some days I'm ok and others not.
- He forces prayer and says "you can't be on the team if you don't go to church."
- I've seen him in the way he talks to people and approaches them he has a big ego. His favorites kiss up to him. I could have been a favorite but...
- He didn't let me play for one incident. He singled me out a couple of incidents. He had players show up late with no punishment and he punished me. He should work on his chemistry with players. He leaves people out.
- At practice he won't help everybody. He gives them "constructive criticism" tells them "they suck" and his "tone of voice" hurts. It is a repetitive pattern, favorites get better treatment.
- The Board over time is trying to get him out. It's "time for something new."
- A player got hit when he threw a ball. He has gotten in players' faces.
- I get it more now that I am growing up, the abuse.
- His favorites hang out together.

- We just won State and everyone is not celebrating, we are sad. Not over the coach's suspension but that we are not together and he doesn't let us alone. This is an issue that needs to be handled.
- he gets "rowdy" : yells a lot and says were aren't playing right
- Somebody quit basketball but he wasn't that into it. He was a perfect player: energetic, getting steals and rebounds — good defense, but coach got kinda personal and the yelling makes you think.
- He treats me good. Not so much the other players. If you mess up, he tells you and some people can't take that.
- He says basketball is your whole life; there is no off season. Basketball never stops.

**5. Can you describe what "respect" means to you and what "respect" looks like?**

- I respect someone who is a good person.
- Doesn't talk bad about you.
- honest with me
- helps with situations
- a person who doesn't put me in harm (Keep safe.)
- If you give me respect, I show you respect.
- respect is when a person tells you what's wrong (It seems this player believes that the coach is respecting him by telling him what he does wrong, yes - but the bigger question is how is the player being told and coached.)
- treats you like you'd like to be treated.
- a person is calm and nice; when everyone is equal
- Their actions to you — they are respecting you then.
- Respect means treating people good and being polite.
- Respect means to listen to the elders and NEVER talk back.

**6. Does Coach Martinez show respect to ALL of his student athletes?**

- not all the time
- He plays mental games. He yells at everyone and then is nice suddenly.
- he gets on them— how he treats players is bad
- I've played for 3 years and he always shows respect.
- he's mean
- I scored well, then he said "don't shoot" and then I couldn't make a basket

- there are certain guys he won't help
- to improve he'll make it seem like he will try to help but he won't
- the team is in little groups; we feel alone; we are not close as a team.
- Yes
- I get sick when this is going on.
- he has favorites and shows respect to them; but you can be a favorite, then not.
- I like him...ummm...but his judgement...he makes people mad and the parents try to stand up. Then they realize they cannot because their child will not play and will be picked on.
- He says he doesn't believe in favoritism, but he still does it. He's a hypocrite.
- yes usually when they try; but I got on his "bad" side and then I didn't play much and he told me this in front of everyone
- never saw favorites; favoritism was a joke to us
- I started to play in elementary school. I wanted to play under him - he demands from us, pushes us to be better, be young men. He says, first family, god and academics before we can step on the court. I know what he wanted and if a player doesn't want to win, he can't. He taught us we can do anything.
- I was kicked off the team right in front of the crowd. "he put me in and called a time out in the third quarter. He set up a press and they scored. He yelled at me and took me out. It takes a lot to get mad. I said don't "yell at me again." Coach said: "If you don't like it get the f—k out of here!" I said "F—k you!" He said, "I'll make it easy on you, You're off the team." This happened right in front of the crowd with everyone watching and my parents.
- About the prayer, I am not Catholic (another religion that the interviewer will not tell) but I got kinda used to saying the Lord's Prayer. I ask for strength. We always prayed.
- Players complained about the coach, but it is "how much can they take?" If I did wrong, I can take "it".
- One of the players didn't know what it is like to be pressured, he quit .
- We are in groups and separate. This keeps the drama away.
- he talks to us every day and jokes - but he has favorites. He likes to talk to everyone—respect? yes and no
- I guess he respects me ...yes, I've felt disrespected though. I'm a little tougher than some. The other coach in the summer is more relaxed. We like that. In the summer we play with other teams in tournaments. It's great.



- Yeah...I have him for two classes. He gets mad. If he tells me something, my parents said to "look him in the eye."
- He has favorites. Some people can miss practice. Say, I don't show up or I started slacking off — but if the other guys don't show up they play the same and then wouldn't show up. If I did that I wouldn't get to suit up. He says "if you don't want to play you don't have to play."—but he's the one who sits you down.
- See...this is all in Española. We have teams for the little kids starting in the 3rd and 4th grade. Coaches all know each other and Richard comes to see the little kids' games. He builds up the little kids so he can keep his high school program going. They're all in it together. The coaches, AD, and School Board.
- I won't play next year if he's the coach. "I won't kiss anyone's butt to play basketball."
- Our family has a business and the coach likes that. All the families know each other and coach hangs out with my parents.

**7. What time are your practices? Is Coach always there when you get to practice?**

- 6 AM practice - he comes a little after 6 ; we wait in the cars
- 6 AM - we wait in cars for 10 or 15 min.
- The AD would open the door for us; but he was always there.
- 6 AM - he was never really late
- 6 AM - usually we start at 6:15
- 6 AM - usually coach is there or Danny
- 6 AM he's there
- 6 AM he's there never really late
- 6 AM - he's there
- 6 AM - usually there. I some nights do not get home until midnight after games or other practices — it's hard.
- 6 AM - pretty consistent
- 6 AM - always there and we wait in the cars

**8. Are you aware of a situation during the State Tournament when some of the boys were left behind at a restaurant? Can you tell me about this?**

- We went a day early so we had to pay on our own. We went to Buffalo Wild Wings and were almost on the mall road when we realized there were two missing players.
- He did not take roll and two players chased the bus after the bus took off
- I heard the lady took a long time getting bill paid
- Coach didn't know they were gone - no roll taken
- Yes, we drove a little then boys screamed that boys were running behind the bus
- There's a sign up sheet in the bus, and yes, he takes roll
- Yes — those boys didn't pay attention
- I don't know about that.
- Two boys were in the restroom, we were counting, and then they came running.
- I don't know about this.
- I heard about it. We do not have roll call.
- The bus barely moved; he called out the names.

**9. Are you aware of any other times student athletes were left behind?**

- No but he never counts.
- never takes roll and doesn't know who's there
- no but I heard when kids mess up — he does leave them
- never happened before this time
- I don't know.
- Not really
- I don't know.
- I don't know.

**10. If you had a little brother, nephew, or cousin that loves basketball, would you encourage him to play basketball under Coach Martinez?**

- No, I love to play but it's not fun and not enjoyable anymore; the way the coach is not a nice guy. Always yelling, the names he calls...
- No, I do not want my little brother to play for him. There are some other kinder coaches that we like. But to play, you have to put up with this coach.
- No and If he is the coach next year I will not play.
- No. His coaching techniques aren't the best; he yells and you feel embarrassed in from of the crowd or others. But, he is the only way we can play basketball and we have to be tough.
- No
- No
- No, never.
- No
- No, I wouldn't want my little friends and relatives to go through this. But, where can we go to play the game? It's not like I can just move to Santa Fe and play at Capital or St. Mikes. We live here.
- No, but if things change next year... (He believes coach will not be back.)
- No. If Coach liked him it would be ok, but if not he would "have a hard time." Yes, my brother only because he is much older than my little relatives.
- Maybe: but only if he could handle the pressure, and being yelled at. There are a lot of mind games. He's have to be strong minded and keep going. I love basketball and I'm not afraid to overcome the pressure. "I've done it."
- Yes, because....He promised to move my little brother up to Varsity so the two of us could play Varsity together. (Promise will be kept?)
- Yeah, I guess..."we compete with skill and heart." (Player body language very tense, voice soft and hands nervous, feet shuffling, looking at the floor.)

At times, the players just wanted to talk.

Below are excerpts from conversations that did not necessarily tie with specific questions:

- His brother Eric Martinez is the JV coach and they act the same. Loud and mean. Eric Martinez mentioned twice by players as "bad."
- A player came in who has been "ghosting" (not visible) around school for a couple of days - not to be found. He said he was doing that on purpose because everyone is so divided about the coach and things that have gone on all year. He did something to help someone and now everyone is blaming the problems on him, he says. I'm moving to get away from here. His good deed backfired on him. "I wear my hood in school. I lay low." There is so much jealousy with people in Española and they don't pay attention. We play basketball all the time. Everyone is involved, parents and grandparents. I'm leaving. "Other kids are blaming me for everything — they have turned on me." I learned respect from my dad and he is mean. Richard's like my dad at school, mean. This whole thing has taken a mental toll on me. (His attempt to help someone - not Richard's administrative leave.) I am very religious, I talk to my priest. (Player was wearing a cross.) "Now we can't really celebrate State over this, we are supposed to have fun and it's our last month." "It's the biggest thing and we can't celebrate. I just want to get away." *You* couldn't even find me, but I wanted to talk, in the end. (I met this player before.)
- There is a cycle for the younger ones coming up. The coach gets to know the parents and interacts at events and gatherings with them. He pays particular attention to the 9th and 10th grade boys. The junior and senior players are becoming "useless", except for playing, for his plan to continue his domination of EVHS Varsity Basketball. He feels he owns the program and it is all about him. He really doesn't care about the players, he just pretends to. There is a group that sticks together on this including Board Members and the Athletic Director at EVHS. They are all "in it." The Board President's speech in the locker room before the State Tournament was all positive. But I felt that they thought they won it and didn't consider all *we* players did. It was just for the adults. We always pray before every game — before anything and coach leads it. The social media says he was put on leave because of prayer, but everybody knows that's not all.



- I want to protect the younger ones from the emotional abuse. NO, I would never let anyone near me play for him. I would tell them to play for someone else, but not everyone can leave.
- His (coach) time is winding down. He does not have much time here. He knows it's coming. People are just sick of him and want him to go away. They are trapped. This year he sat one of the three seniors down. One for a district game. Just to show everybody and how he shows his authority. "Sitting down" is personal and is just for his ego. Freshmen got to suit up and not the older players. The plan for him is to get the freshman parents to support because he wants this job forever - it's his "thing."
- Tournament Ring: The coach's brother was put on varsity staff just for the state tournament and listed in program. He will get a ring. He was never on our coaching staff. James Branch is great and never got a chance to be recognized. Martinez's brother will get a tournament ring by cheating and playing around with the written program. The coach and now his brother lie.
- The AD will tell our coach everything about what's going on. The Board President is with them all.

**Dr. Parkinson's additional notes:**

A player completely changed his views after his parents pulled back from the public complaints about the coach. Why? This is a huge question. Only a few days earlier the parents met with authorities and reported many harsh issues. The player came to interview with positive things to say - and very short answers.

The boys who had good things to say, seem to think that abuse, yelling and manipulative tactics make them "men" and prepared for the "world."

They, with very sad looks in their eyes, say the coach tells them that have to be tough and "take it". When, in fact teen aged boys are susceptible to negative comments and hurtful situations, they can carry those scars for a lifetime. Study the lives and records of the most successful high school coaches to compare and contrast this coach's style, history and manner.

They think of him as "magic" and that he can see things before they happen. Two players mentioned this specifically.

In Española there are organized teams from 3rd and 4th to 8th grade for basketball where the coaches prepare them for EVHS play. Boys play during the year and in the summer. Not all

boys end up at EVHS, but the situation could be, in my view, institutional child abuse. A varsity player who watches the little kids' games said many of the coaches yell now like EVHS 's coach even at fourth graders. "It hurts me," he says. Coach's brother has the JV basketball team and players report that he often yells and acts like his Varsity Coach brother. The abuse starts in the third or fourth grade where the boys are 8 years old. The behavior appears to be institutional and systemic to "grow men."

In the interviews, some players simply began talking. We often abandoned the questions because most, if not all, were answered during an *intense and personal* discussion about their experiences.

Every boy took the interview seriously and tried their best to answer. I realize this was hard for most of them, but I insured confidentiality. They said that two years ago the coach was also put on administrative leave and whoever did the interviews taped them. The tapes, they said, made it out to the public and media. I promised the boys that they were not recorded and that the original notes will be shredded at my office after I wrote my report.

**Please see attached newsletter by Dr. Alan Goldberg (downloaded April 1, 2016, from [competitivedge.com](http://competitivedge.com))**

**Some excerpts:**

Question: "Are too many parents making a "deal with the devil" and turning their kids over to coaches with questionable methods just because these coaches supposedly produce 'champions'?"

**THE ABUSIVE COACH FITS ANY NUMBER OF THE FOLLOWING:**

- Regularly uses public embarrassment and humiliation on his/her athletes
- Is disinterested in the feelings and sensitivities of his/her players
- Rarely uses praise or positive feedback
- Is a yeller
- Demeans his/her players
- Plays "head games" with his/her athletes
- Is personally dishonest and untrustworthy
- Creates a team environment based on fear and devoid of safety
- Is never satisfied with what his/her athletes do.

- Is overly negative and a pro at catching athletes doing things wrong
- Is more interested in his/her needs than those of his/her players
- Over-emphasizes the importance of winning
- Tends to be rigid and over-controlling, defensive and angry
- Is not open to constructive feedback from players or other parents
- Uses excessive conditioning as punishment
- Can be physically abusive
- Ignores his/her athletes when angry or displeased
- Is a bully (and therefore a real coward)
- Coaches through fear and intimidation
- Is a "know-it-all"
- Is a poor communicator
- Only cares about his/her athletes as performers, not as individuals
- Consistently leaves his/her athletes feeling badly about themselves
- Kills his/her athletes' joy and enthusiasm for the sport
- Is a bad role model
- Is emotionally unstable and insecure
- Earns contempt from players and parents
- Coaches through guilt
- Is a master of DENIAL!!!!

A coach doesn't have to be guilty of all of these behaviors to be an abusive coach. In fact, regularly engaging in a select two or three of these is enough to qualify a coach for abuser status. Unfortunately, most coaches who engage in abuse also refuse to take an honest look at themselves. Because of a well honed sense of denial, they would never admit to themselves or others that they might be doing something wrong. In fact, the abusive coach sees him/herself as a very good coach.

**THE GOOD COACH....**

- NEVER uses humiliation or embarrassment as a coaching tool
- Genuinely cares about the welfare and well being of each athlete
- Is a pro at catching athletes doing things right
- Rarely raises his/her voice
- Is supportive and encouraging
- Builds healthy relationships with his/her athletes
- Is honest and trustworthy
- Creates a feeling of personal safety on the team
- Is able to celebrate his/her athletes' successes/accomplishments
- Is a positive person
- Understands that coaching is about doing what's best for the kids
- Has winning in perspective and defines success in appropriate ways
- Tends to be flexible, yet still able to set good limits
- Is open to constructive feedback from players and parents
- Is friendly, non-defensive and approachable
- Uses hard physical conditioning appropriately
- Is NEVER physically abusive!
- Communicates displeasure directly and appropriately to athletes
- Coaches by generating mutual respect
- Maintains an open mind
- Is a good communicator
- Leaves his/her athletes feeling good about themselves
- Fuels the athlete's enjoyment and enthusiasm for the sport



- Is a wonderful role model
- Earns respect from players and parents
- Does NOT act out his/her feelings/insecurities on his/her athletes

If we were to crosswalk players' comments and thoughts with the coaching characteristics listed above, where would Española Valley High School's basketball coach stand?

Respectfully submitted,

Patricia E. Parkinson

Patricia E. Parkinson, Ed.D.

Educational Consulting Services, Parkinson Resources

## Coaches Evaluation Report

Coach's Name \_\_\_\_\_ School Year \_\_\_\_\_ School \_\_\_\_\_

Sport \_\_\_\_\_ Position \_\_\_\_\_ Date \_\_\_\_\_

<b>Coaching Competencies (Corresponding indicators on reverse side)</b>	<b>Not Achieved</b>		<b>Achieved</b>		<b>No opportunity to observe</b>
1. <b>PHILOSOPHY AND ETHICS</b> - The coach establishes a coaching philosophy that focuses on the safety, development, and well-being of the athlete. <b>Merit/Growth:</b>	1	2	3	4	N/A
2. <b>SAFETY AND INJURY PREVENTION</b> - The coach is properly trained in injury prevention, is able to recognize high-risk situations, as well as unsafe equipment, facilities, and environmental conditions in order to ensure the safety of the athletes and make necessary modifications to the playing environment should unsafe conditions exist. <b>Merit/Growth:</b>	1	2	3	4	N/A
3. <b>PHYSICAL CONDITIONING</b> - The coach is responsible for implementing research-based, developmentally appropriate drills and teaching techniques that support athlete development while maintaining safety. The coach encourages healthful decisions by the athlete to promote healthy lifestyles and low-risk training practices. <b>Merit/Growth:</b>	1	2	3	4	N/A
4. <b>GROWTH AND DEVELOPMENT</b> - The coach is knowledgeable about the age and skill level of his/her athletes. The coach is able to recognize the patterns of cognitive, motor, emotional, and social development, and can create effective learning environments that allow athletes to progress and improve at different rates. <b>Merit/Growth:</b>	1	2	3	4	N/A
5. <b>TEACHING AND COMMUNICATION</b> - The coach is able to plan and implement organized practices so that athletes have a positive learning experience. The coach is able to use a variety of systematic instructional techniques to provide a positive learning environment and maximize the potential of each athlete. <b>Merit/Growth:</b>	1	2	3	4	N/A
6. <b>SPORT SKILLS AND TACTICS</b> - The coach is able to develop skills of all team members into an efficient and successful group. The coach knows how to utilize athletes' abilities to maximize meaningful participation. <b>Merit/Growth:</b>	1	2	3	4	N/A
7. <b>ORGANIZATION AND ADMINISTRATION</b> - The coach provides information regarding the needs of the athlete, serves as a key communicator of program goals and policies, and facilitates compliance with established program policies. <b>Merit/Growth:</b>	1	2	3	4	N/A
8. <b>EVALUATION</b> - The coach is able to make accurate and timely decisions regarding aspects of the sport program. <b>Merit/ Growth:</b>	1	2	3	4	N/A

Signature of Coach \_\_\_\_\_

Date \_\_\_\_\_

Signature of Head Coach \_\_\_\_\_

Date \_\_\_\_\_

Signature of Athletic Director \_\_\_\_\_

Date \_\_\_\_\_

Signature of Principal \_\_\_\_\_

Date \_\_\_\_\_

Signature of evaluatee indicates receipt of report form, not necessarily agreement. Signature of supervisor(s) indicates agreement with the performance evaluation. This evaluation may be used:

1. To improve performance through assessment and notes on present merit and/or needed growth.
2. To serve as a basis in employment decisions regarding promoting, retention, dismissal, etc.
3. To serve as a basis of recommendation for superintendent's verification of competencies to PED.